

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

SAJMIR ALIMEHMETI,
a/k/a "Abdul Qawii,"

Defendant.

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ORDER

S1 16 Cr. 398 (PAE)

WHEREAS, the Government filed a sealed motion pursuant to Section 6 of the Classified Information Procedures Act, 18 U.S.C. app. 3 § 6 (the "Motion"), seeking the implementation of certain protective measures in connection with the anticipated testimony at trial of one or more of four undercover employees of the Federal Bureau of Investigation ("FBI") who participated in the investigation of this matter in an undercover capacity (the "UCs");

WHEREAS, the Government anticipates producing to the defense materials pursuant to 18 U.S.C. § 3500 and/or Giglio v. United States, 405 U.S. 150 (1972), relating to the UCs (the "3500 Material"); and

WHEREAS, the Government has compelling interests in:
(a) protecting the true identities and safety of the UCs and their families; (b) preserving the integrity of other national

security investigations; and (c) maintaining law enforcement's ability to deploy the UCs effectively in an undercover capacity;

IT IS HEREBY ORDERED that:

1. With respect to the 3500 Material provided by the Government to the defense in this case, the 3500 Material:

a. Shall be used by the defense only for purposes of the defense of this action;

b. Shall be maintained in a safe and secure manner solely by the defendant's counsel of record ("counsel");

c. Shall not be possessed by the defendant outside the presence of counsel;

d. Shall not be otherwise disclosed in any form except as set forth in paragraph 2 below; and

e. Shall be returned to the Government at the conclusion of trial or when the resolution of any appeal has become final.

2. The 3500 Material may be disclosed, in addition to the defendant and the defendant's counsel in accordance with the terms of paragraph 1 above, only to the following persons ("Designated Persons"):

a. investigative, secretarial, clerical, and paralegal or student personnel employed full-time or part-time by the defendant's counsel;

b. independent expert witnesses, investigators, or advisors retained by the defendant's counsel in connection with this action; and

c. such other persons as hereafter may be authorized by the Court upon motion by the defendant.

3. To the extent any Designated Person (or any other party not provided for herein) obtains any 3500 Material that is the subject of this Order, such 3500 Material shall not be further disclosed in any form, including but not limited to orally disclosing such information or posting such information on the Internet.

4. The defendant and his counsel shall provide a copy of this Order to any Designated Persons to whom the 3500 Material is disclosed pursuant to paragraph 2. Prior to disclosure of such material to any Designated Person, pursuant to paragraph 2, any such Designated Person shall agree to be subject to the terms of this Order.

SO ORDERED.

Dated: New York, New York
December __, 2017

HONORABLE PAUL A. ENGELMAYER
United States District Judge
Southern District of New York